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LAS DEMOCRACIAS  
DE AMÉRICA LATINA

STRENGTHENING  
DEMOCRACIES  
IN LATIN AMERICA

NOVEMBER 2021

# Nicaragua

## Presidential and legislative elections Post-election report

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# Executive summary

Yesterday, **presidential and legislative elections** were held in Nicaragua, where the **President of the Nation, 92 deputies of the National Assembly** and **20 representatives** of the country to the **Central American Parliament (PARLACEN)** for the 2022-2027 period were elected.

Daniel Ortega, together with the Frente Sandinista de Liberación Nacional (FSLN), got 74,99% of the votes and thus **won his third consecutive reelection securing what will be his fifth presidential term.**

The elections were seen as highly contentious, since while there were 6 candidates in the running, there was no real competition after the **arrest in recent months of Ortega's main challengers**, variously accused of treason, terrorism or money laundering.

For the aforementioned reasons, **these elections were heavily criticised by the international community** especially the Organization of American States (OAS), the European Union (EU) and the U.S. government, who saw the vote as illegitimate. Also, several other Latin American countries including Costa Rica and Chile failed to recognize the new government. Ortega's government thus faces increased international isolation and is expected to maintain close links to Cuba, Venezuela and Russia.

In addition to securing a new executive mandate, **the FSLN will continue to be the leading force in the National Assembly**, where it has retained its qualified legislative majority and so should be able to further the structural reforms promoted since 2007.

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### PRESIDENTIAL ELECTIONS

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# Basic questions

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## What was at stake?

The **president and vice-president, 90 deputies of the National Assembly** and **20 representatives** of the country to the **Central American Parliament** (PARLACEN in Spanish) were elected for the **2022-2027 term**.

## Electoral Calendar

According to the [Constitution](#), the President of the Republic and the national deputies shall exercise their functions for a **term of 5 years**. The **President has the possibility of indefinite reelection**, after the constitutional reform of 2014. As a result, Ortega was able to win a new mandate.

## How was the vote cast?

Elections were held through **universal, equal, direct, free and secret suffrage**. The [Electoral Law](#) establishes that suffrage is a right of Nicaraguan citizens, which can be exercised from the age of 16.

## How were contestants elected?

The office of **President** was held by whoever obtained the **most votes without the need to pass a minimum threshold** (relative majority rule). The **deputies** were elected through the **proportional representation system by electoral quotient**.

## Who were the candidates?

They were **Daniel Ortega** (Frente Sandinista de Liberación Nacional - FSLN), **Walter Espinoza** (Partido Liberal Constitucionalista - PLC), **Mauricio Orúe** (Partido Liberal Independiente - PLI), **Marcelo Montiel** (Alianza Liberal Nicaragüense - ALN), **Gerson Gutiérrez** (Alianza por la República - APRE) and **Guillermo Osorno** (Camino Cristiano Nicaragüense - CCN).

Again we should stress that seven **opposition pre-candidates thought capable of mounting a challenge against Ortega have been detained before the election and didn't take part**. Meanwhile, the main opposition party, **Ciudadanos por la Libertad**, was disqualified from participating in the elections together with two other parties (Partido de Restauración Democrática and Partido Conservador).

## When will the next government take office?

On January 9, 2022, the 90 elected deputies will take office. The President and Vice President will take office on January 10.

# Political context

The elections came amid heightened tensions and criticism both inside and outside the country prompted by **political violence and persecution of opposition candidates**. Daniel Ortega was effectively the last of the candidates of note standing in the presidential race following the imprisonment of nearly 40 opponents over charges relating to money laundering or treason, seven of them presidential pre-candidates.

## Reelection and social protests

- In 2014, the pro-government National Assembly passed a constitutional reform that opened the door to **indefinite presidential reelection**.
- This concentration of power coupled with the decision of the Executive to promote changes to the social security system at the recommendation of the International Monetary Fund, sparked **social unrest** in April 2018.
- The multiple demonstrations and their crackdown – **leaving more than 300 dead** – weakened the president who then backtracked on the **pension reform**.

## Persecution of the opposition

- Given the fragile situation in which the Executive then found itself in, Ortega began an offensive against the political opposition. In 2018, a [terrorism law](#) was enacted, classing as terrorists those acting against the government.

- In 2020, a package of controversial laws that served to silence dissident voices was also approved. Among them is one that classifies as a '[traitor](#) to the homeland' anyone found to incite foreign interference; one against [foreign agents](#) that blocks foreign financing to opponents and NGOs; and one on [cybercrimes](#) that allows for imprisonment of those deemed to disseminate fake news.
- Ortega used this package of laws to arrest 37 opponents in mid 2021, thus **eliminating the electoral competition with 7 presidential candidates imprisoned and 2 others in exile**. Among the most prominent are **Cristiana Chamorro, Juan Sebastián Chamorro and Félix Maradiaga**, who enjoyed high popularity ratings according to polls.
- In response, the OAS, among other international organizations, issued a [resolution](#) calling for the release of the political prisoners, highlighting the need to hold free and fair elections.
- However, the Executive went further by cancelling the **legal status of the main opposition party, Ciudadanos por la Libertad (CxL) in August 2021, thus preventing it from participating**. In all, three parties will be prevented from taking part, the remaining two being the Partido de Restauración Democrática (PRD) and the Partido Conservador.

## Road to the election

- Although the campaign officially began on September 25, there were hardly any campaigning in practice. The lack of political advertising in the media and restrictions on the holding of major political gatherings meant that large swathes of the population were unaware of who the candidates were. Ortega also barred international electoral observers.

# Takeaways and repercussions

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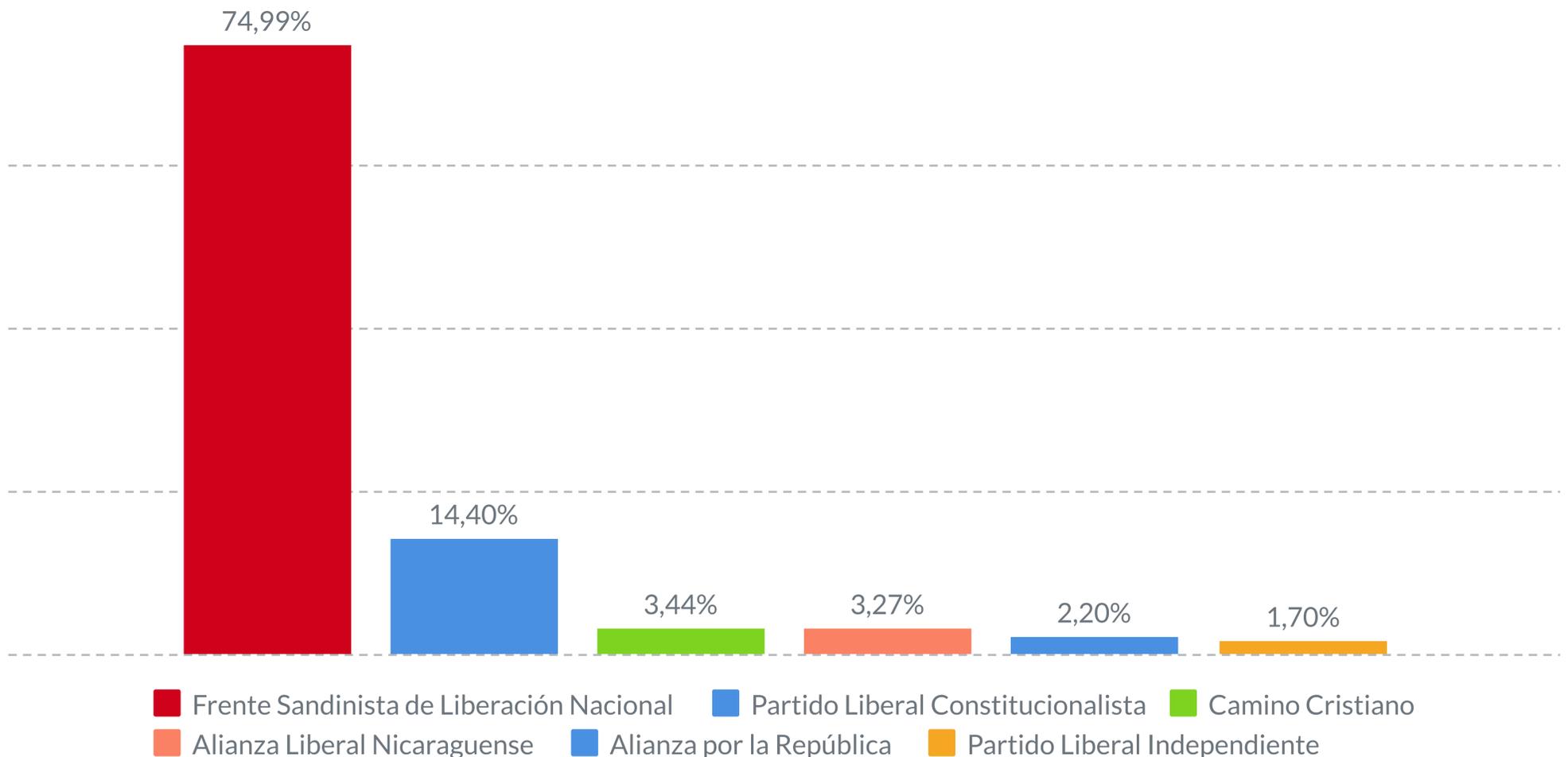
- On the eve of the elections, at least **12 people were arrested**. They were members of 2 major opposition organizations, **Alianza Civica and Unidad Nacional Azul y Blanco**.
- Different countries, international organizations and part of the opposition in Nicaragua denounced the **lack of independent international observers** as well as obstacles for the access of the international press to the country to cover the elections. They also denounced **heavy-handedness by the National Police with journalists** reporting on the vote, including temporary arrests. However, the **Supreme Electoral Council (CSE in Spanish) claimed observers from 27 countries had been present as well as more than 600 journalists** of different nationalities.
- To coincide with the elections, **Nicaraguans abroad called for protests condemning it and for its results to be ignored**. In the United States and Costa Rica these demonstrations were particularly strong.
- There were also reports of political violence and vote-stealing by the FLSN, **the use of state vehicles to transport voters, intimidation by police forces** and electoral propaganda inside voting centers. The **government claims the elections took place amid "normality and transparency"**.
- **According to the CSE, participation was around 65.34%** of the national population. However, this was questioned by different organizations such as Urnas Abiertas which estimated **abstention at 81.5%**. It is important to mention that the opposition, which was prevented from participating in the election, urged voters not to partake in the elections under the slogan "Yo no Boto mi Voto" (I do not throw away my vote).
- As for international fallout, so far **only presidents such as Nicolás Maduro** of Venezuela, **Miguel Díaz-Canel** of Cuba and the former president of Bolivia, **Evo Morales**, have recognized the new Ortega government. Likewise, **the Russian government said "local laws were complied with"**.
- The President of the United States, **Joe Biden**, [declared](#) that the elections a "pantomime". He called for the restoration of democracy and said he would **"use all diplomatic and economic tools at his disposal to hold the government accountable"**.
- In the same vein, the **European Union** [indicated](#) that the results were "illegitimate", and did not rule out **"using all instruments to take additional measures"** against the government.
- Finally, the government of **Costa Rica** [informed](#) that it **does not recognize the elections** due to the "lack of conditions and guarantees required for a democracy". Also, the government of **Chile** [rejected](#) the electoral process as "illegitimate".

# Presidential elections

The elections came amid a context of **political repression** and with the incumbent president **facing no real competition**. Since June, **several political opponents have been jailed**, among them seven presidential candidates.

## Results

Amidst opposition allegations of low voter participation in the elections, denied by the CSE, which claims turnout was over 65%, **Daniel Ortega obtained a wide victory receiving almost 75% of the votes at the national level.**



**Source:** Own elaboration based on the results presented by the Supreme Electoral Council with 49.25% of the tables counted.

# Profile and proposals of the winning candidate

## Daniel Ortega | Frente Sandinista de Liberación Nacional

He began his political career by joining the Sandinista guerrillas to overthrow dictator Anastasio Somoza, for which he was imprisoned and exiled during the 1970s. He **first became president in 1984**, but then lost out to Violeta Chamorro in 1990. He returned to power in 2007 and has held the presidency ever since. In these elections he was seeking his fourth consecutive term.



## Proposals

- In labor and health, he seeks to inaugurate hospitals and create an investment fund for young contractors in local government works.
- Diversify the **electricity generation matrix to achieve the goal of 90% production from renewable sources** by 2023.
- Promote the elimination of all **forms of violence against women**.
- Improve infrastructure and services at the national level.

# Legislative Elections

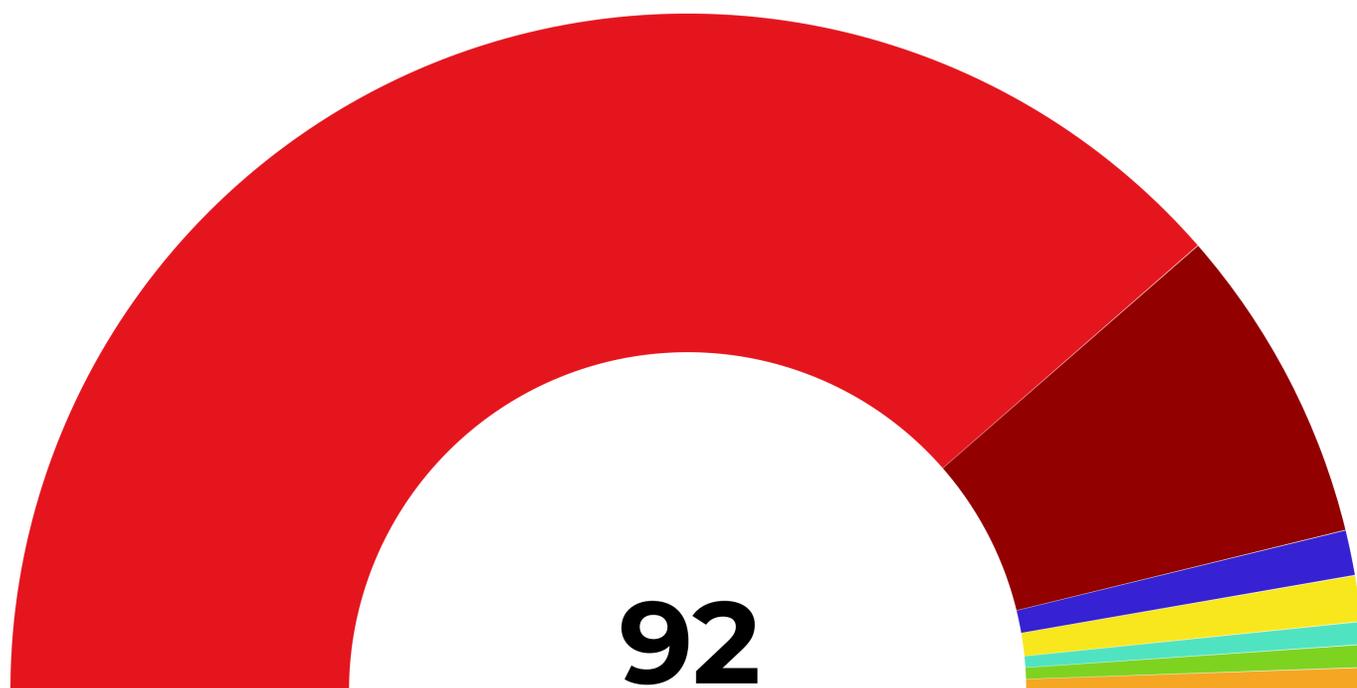
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## What was at stake?

The **entire National Assembly, composed of 92 deputies, was renewed**. Based on the Nicaraguan electoral system, the allocation of seats is distributed through the proportional representation system. **20 deputies were elected nationally and 70 deputies within sub-national constituencies**. It should be noted that one seat is reserved for the outgoing President, and another for the second-placed presidential candidate.

## What is the current composition of the National Assembly?

The FSLN currently has its own **qualified majority**, enabling it to pass its bills, including constitutional reform bills, without the need to negotiate with the opposition.



### Ruling Party (72)

- FRENTE SANDINISTA DE LIBERACIÓN NACIONAL (71)
- YATAMA (1)

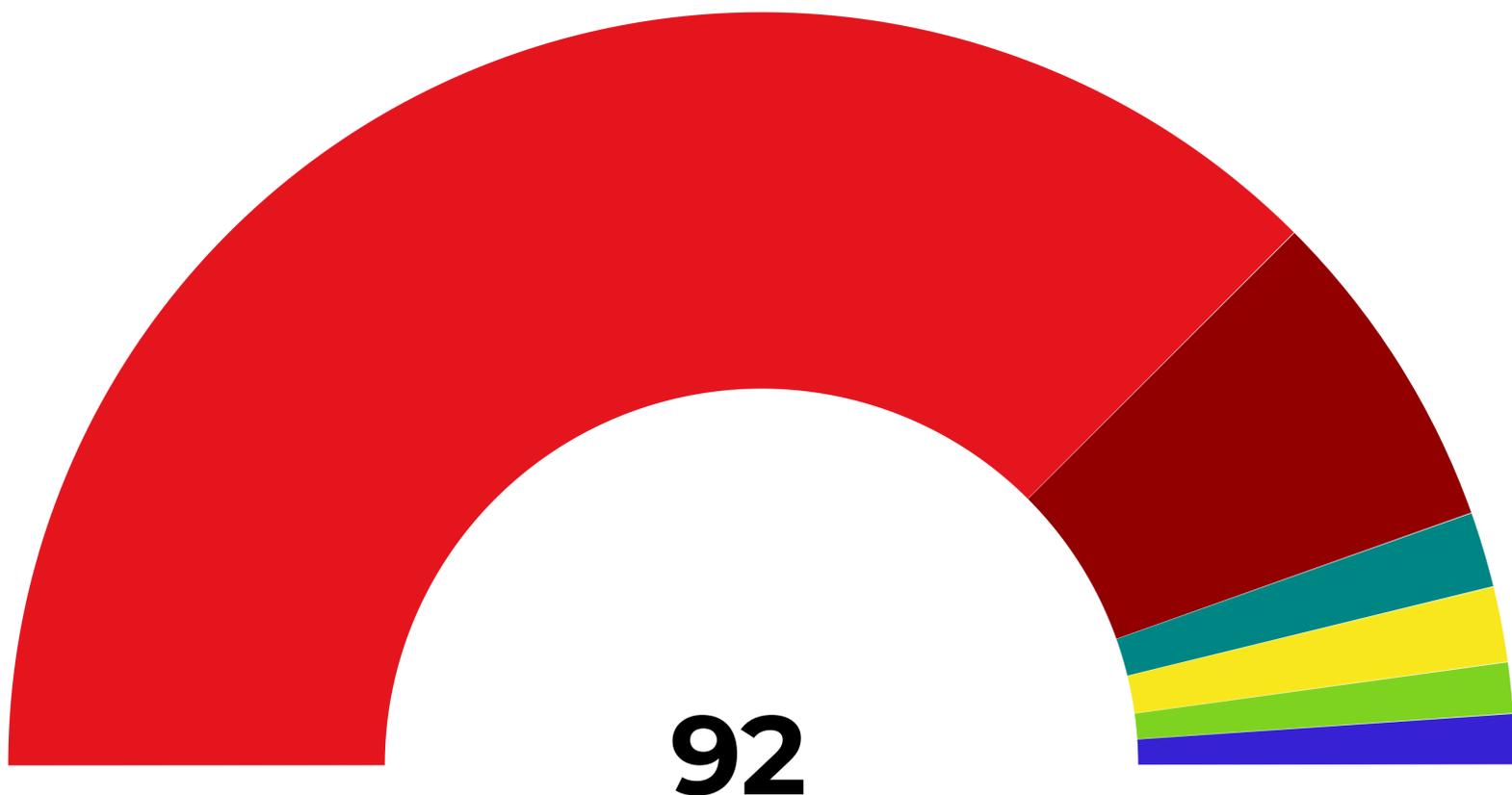
### Opposition (20)

- PARTIDO LIBERAL CONSTITUCIONALISTA (14)
- PARTIDO LIBERAL INDEPENDIENTE (2)
- ALIANZA LIBERAL NICARAGÜENSE (2)
- PARTIDO CONSERVADOR (1)
- ALIANZA POR LA REPÚBLICA (1)

## What will the new National Assembly look like?

Based on the data provided so far by the CSE, the **FSLN of Daniel Ortega would retain a broad legislative base of at least 69 deputies**. This will allow it to move forward with any legal reform in the country, even of the Magna Carta, since it will hold over two thirds of the deputy seats.

As such, **the new Assembly will be very similar to the outgoing one**, although the opposition has secured three new seats – far short, however, of the number needed to push through their bills or have any influence on the government's agenda.



### Ruling Party (69)

- FRENTE SANDINISTA DE LIBERACIÓN NACIONAL (69)

### Opposition (23)

- PARTIDO LIBERAL CONSTITUCIONALISTA (13)
- CAMINO CRISTIANO NICARAGÜENSE (3)
- ALIANZA LIBERAL NICARAGÜENSE (3)
- ALIANZA POR LA REPÚBLICA (2)
- PARTIDO LIBERAL INDEPENDIENTE (2)

**Source:** Own estimation based on the results presented by the Supreme Electoral Council with 49.25% of the tables counted.

# Conclusions

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Sunday's elections **handed victory to Daniel Ortega and the FSLN**. It saw the President retain his grip on the Assembly thus smoothing the path for the government's legislative agenda.

The vote came against a backdrop of **escalating repression** by the government of Daniel Ortega and Rosario Murillo and a **fast weakening democracy in Nicaragua**. After the arrest of the main pre-candidates along with some one hundred other opponents, the legitimacy of the elections were heavily criticised by the opposition and international organizations alike, warning of flagrant breaches to civil and constitutional liberties.

**'Opposition' contenders with no real capacity to compete against the Sandinista leader were the only other alternative for voters on Sunday**. These government-loyal parties with no history of ever opposing the government in the Assembly lacked a social base, recognised leadership or a strong political structure to serve as meaningful competition. Accused of complicity with the government, their role was seen simply as lending an air of legitimacy to the contest.

Fierce accusations from the opposition and calls for citizens to boycott the vote was among the highlights on election day. It is expected this contributed to a turnout of as low as 20% though official figures from **CSE**, loyal to Ortega, put that far higher at **65%**.

Different sectors also **denounced harassment, arbitrary detentions, restrictions to the press, irregularities in voting centers and lack of international observation**. This was also denied by the Government who claimed 27 foreign observers had been present along with 600 journalists from across the world.

**A large number of international figures and organizations described the vote as a "farce"**, with heavy criticism in particular from the US and EU. Likewise, countries in the region have similarly rejected the results, among them Chile and Costa Rica. So far, only the heads of state of Cuba and Venezuela and the former president of Bolivia have congratulated the president on his victory.

Despite this, Ortega and the FSLN are now set to renew their mandates in January 2022 and expected thereafter to continue pursuing their agenda of reforms.

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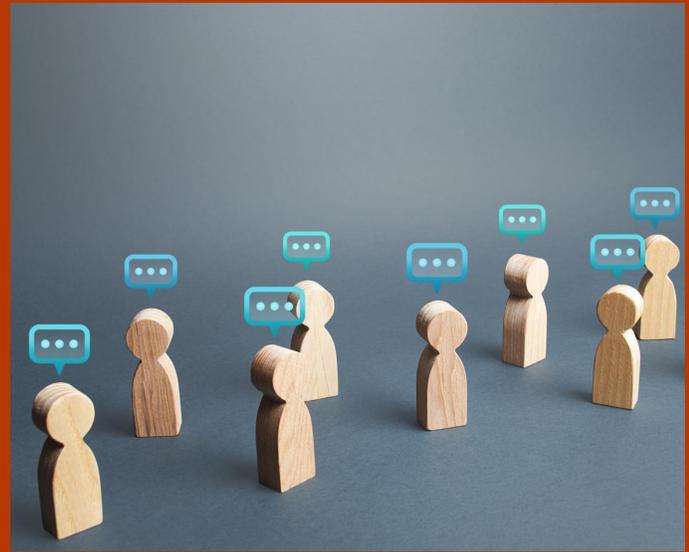


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